

MINUTES

PLANNING BOARD

TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY

Regular Meeting

October 21, 2015

The Regular Meeting of the Planning Board was called to order at 7:30 PM by Michael Einbinder in the Public Meeting Room.

Mr. Einbinder confirmed that the meeting was being held in conformance with all regulations of the SUNSHINE LAW and proper notice had been given to the Courier News; also, the Agenda had been posted in Town Hall, Board Office, and supplied to the Township Clerk at least forty-eight hours prior to the meeting. The Agenda items will not necessarily be heard in the order listed and the meeting will not continue significantly past 10:30 PM.

Roll Call:

Members present were Mr. Einbinder, Mr. Johnson, Mr. Woodruff, Mr. Niceforo, Mr. Graziano, Mr. Beal, Mr. Pirone and Mr. Cunningham. Mr. Willard, Board Attorney, and Thomas Solfaro, Board Engineer, were also present.

Adoption of Minutes:

September 30, 2015 Special Meeting

A motion was made by Mr. Einbinder, seconded by Mr. Beal, to adopt the Minutes of the Special Meeting of September 30, 2015 as presented. The voice vote was unanimous.

Application for Review:

CARRIED FROM OCTOBER 7, 2015, WITH NO FURTHER NOTICE REQUIRED:

App.#M-1-15: Jonell Associates Development, 20 Old Farm Rd., Block 2801, Lot 64

Requesting approval to demolish an existing home and detached garage, then subdivide the existing lot 64 into two new lots, proposed lots 64.01 and 64.02, and build two new homes. Relief is needed from Section 6.1.1B "Schedule of General Regulations" because proposed lot 64.01 would have a lot area less than the required 22,000 sq. ft. minimum for a corner lot and an insufficient front yard setback along Kingman Road; proposed new lot 64.02 would have a lot area less than the required 20,000 sq. ft. minimum, an average lot depth less than the 150 ft. required and an insufficient rear yard setback. (R-20 Zone)

Paul Weeks, attorney for the applicant, stated that the applicant is the contract purchaser of the property at 20 Old Farm Road and is proposing a subdivision to create two lots and construct two single family homes.

Nick Ciraco, applicant, was sworn and stated that he wants to subdivide the property for construction of two single family homes. The existing house and garage will be demolished. The purchase contract for the property is contingent on the subdivision approval.

Mr. Ciraco presented Exhibit A-1 – plan showing the proposed location of the two homes. The property will be divided into Lot 64.01 which will be 18,792 square feet where 22,000 square feet are required for the corner lot, and Lot 64.02 which will be 17,424 square feet where 20,000 square feet are required. Variances will be required for lot area.

Mr. Ciraco stated that he has reviewed the other lots in the neighborhood and there are eight other lots that are smaller than what he is proposing.

Mr. Ciraco presented Exhibit A-2 – tax map showing the neighboring lots that are smaller than the 20,000 square feet required. He stated that there is a mix of housing in the neighborhood with some fairly new houses. Based on his review of the neighborhood the proposed houses will be similar in nature to the surrounding houses and lots.

In response to questions from the Board with regard to the macadam drive, Mr. Ciraco stated that the driveway will be removed except for the section that is used by the owner of Lot 63.02 to access his property. There is an existing access agreement with that neighbor.

Mr. Ciraco stated that the corner lot will require two variances for front yard setbacks. Both proposed houses will face Old Farm Road where 50' frontage is required along Kingman Road and 30' is proposed. A variance for rear yard setback is also required for Lot 64.02.

Discussion took place regarding the placement of the proposed houses on the lots and it was suggested that the house on the interior lot be moved further away from Lot 63.02 to provide more privacy to that neighbor. It was also suggested that the applicant provide a better plan showing the location of the neighboring houses.

Mr. Ciraco presented Exhibit A-3 – satellite photo of the property and surrounding neighborhood.

Discussion took place and it was suggested that the applicant provide an analysis of the neighborhood and how the proposed homes will fit in. It was further suggested that a plan be presented that shows where the existing houses are on Lots 63.02 and 63.01.

Aidan Murphy, engineer, was sworn and accepted as an expert witness. Mr. Murphy indicated on the existing conditions map the location of the existing house on the property and its relationship to the other houses. He stated that the house on the interior lot could be moved further away from the house behind it but it still will not meet the required setback. The proposed drainage will be the same regardless of where the houses are located.

Mr. Murphy presented Exhibit A-4 – area map, and reviewed the setback requirements and variances being requested, Exhibit A-5 – plan showing the existing conditions of the property and the paved driveway, Exhibit A-6 – plan showing the property with the proposed houses, and Exhibit A-7 – detail sheets showing details of the dry wells, storm water management and drainage plan.

Mr. Murphy indicated the proposed location of the dry wells. He stated that the development will not increase the flow of water off the property. He also indicated the location of the proposed retaining wall between the two houses.

In response to questions from the Board, Mr. Murphy stated that 26 trees will be removed from the property and they will be replaced in accordance with the Township ordinance. The building height has not yet been decided but a variance for height will not be required.

Mr. Solfaro noted that most of his comments have been addressed and the submission at the next meeting will eliminate some of this other comments.

Open to Public

The meeting was opened to the public for questions or comments with regard to Mr. Ciraco's and Mr. Murphy's testimony. There were no members of the public who had questions.

The hearing of the application was carried to November 4, 2015 with no further notice required. The applicant will present a review of the tax map and analysis of how the existing lots compare to the applicant's property. Mr. Murphy stated that he will try to reduce the variances for the rear yard and will look at shifting the house on the interior lot over to the right.

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Adjournment:

A motion was made by Mr. Einbinder, seconded by Mr. Niceforo, to adjourn the meeting. The voice vote was unanimous and the meeting adjourned at 9:00 p.m.

Regina Giardina, Secretary Pro-Tem